

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

In the matter of the restraint of:

**\$588,453.25 in United States
Currency in Bank of America
Account Number x8909 in the Name
of “James Dunbar”,**

**\$859,049.90 in United States
Currency in JP Morgan Chase
Account Number x8305 in the Name
of “Vines Investments Inc.”,**

**\$251,758.06 in United States
Currency in Bank of America
Account Number x7317 in the Name
of “Shelby R Carter Sole Prop”,**

**\$265,000.00 in United States
Currency in Central Trust Bank
Account Number x6587 in the Name
of “James Dunbar”, and**

**\$44,810.33 in United States Currency
in First Republic Bank Account
Number x2996 in the name of
“Ashton B Vines”.**

8:19CV164

ORDER EXTENDING RESTRAINING ORDER

This matter is before the Court on the United States of America’s Motion to extend the Court’s temporary restraining order ([Filing No. 14](#)) pursuant to the parties’ Stipulations and Rule 65 of the Federal Rules of Civil Procedure. The United States requested an additional 90 days, to and including October 25, 2019, to permit a transfer of funds from James Dunbar’s accounts to the victim company, Malnove Holding Company, Inc., pursuant to a Stipulation between Dunbar and Malnove Holding Company, Inc. (Malnove). In addition, the extension will allow additional time for counsel for Ashton

Vines and Malnove to negotiate regarding the funds in the two accounts owned or controlled by Mr. Vines; and

IT APPEARING TO THE COURT THAT:

The Motion filed by the United States with its attached exhibits, namely, the Stipulation between Malnove and James Dunbar and the Stipulation between Malnove and counsel for Mr. Vines, establishes good cause that:

1. the property with respect to which the order is sought is subject to a civil forfeiture action;
2. Mr. Dunbar has agreed to transfer funds in Bank of America Account Number x8909 and Central Trust Bank Account Number x6587 to Malnove, such that an extension of the Restraining Order will permit additional time to effectuate these transfers;
3. Malnove and counsel for Mr. Vines have agreed to continue to discuss negotiations between and among themselves, along with the United States, with regard to the accounts owned or controlled by Mr. Vines, namely, JP Morgan Chase Account Number x8305 in the Name of "Vines Investments Inc.", and First Republic Bank Account Number x2996 in the name of "Ashton B Vines"; and
4. the need to preserve the availability of the property through entry of this order outweighs the hardship on any person against whom the order is to be entered.

IT IS HEREBY ORDERED:

1. Bank of America and Central Trust Bank are ENJOINED AND RESTRAINED from transferring (by wire or other means), conveying, diminishing, or disposing of the funds and monies held in Bank of America Account Number x8909 and

Central Trust Bank Account Number x6587 for an additional 90 days to and including October 25, 2019, except to accounts owned and controlled by Malnove;

2. Bank of America and Central Trust Bank shall continue to receive and credit monies to Bank of America Account Number x8909 and Central Trust Bank Account Number x6587 and such funds shall be subject to this Order and restrained pursuant to its terms;
3. All persons including James Dunbar and his agents, servants, employees, attorneys, family members and those persons in active concert or participation with him, are hereby ENJOINED AND RESTRAINED from withdrawing, transferring, distributing, giving away, encumbering or otherwise removing from the jurisdiction of this Court, any funds or monies in Bank of America Account Number x8909 and Central Trust Bank Account Number x6587 for an additional 90 days, to and including October 25, 2019, except that Mr. Dunbar may, as agreed by Stipulation with Malnove, transfer such funds back to an account held by or owned and controlled by Malnove;
4. JP Morgan Chase and First Republic Bank are ENJOINED AND RESTRAINED from transferring (by wire or other means), conveying, diminishing, or disposing of the funds and monies held in JP Morgan Chase Account Number x8305 in the name of "Vines Investments Inc.", and First Republic Bank Account Number x2996 in the name of "Ashton B Vines" for an additional 90 days to and including October 25, 2019;

5. JP Morgan Chase and First Republic Bank shall continue to receive and credit monies to JP Morgan Chase Account Number x8305 in the name of “Vines Investments Inc.”, and First Republic Bank Account Number x2996 in the name of “Ashton B Vines,” and such funds shall be subject to this Order and restrained pursuant to its terms;
6. All persons and entities including Vines Investments, Inc. and Ashton B. Vines, and their agents, servants, employees, attorneys, family members and those persons in active concert or participation with them, are hereby ENJOINED AND RESTRAINED from withdrawing, transferring, distributing, giving away, encumbering or otherwise removing from the jurisdiction of this Court any funds or monies JP Morgan Chase Account Number x8305 in the name of “Vines Investments Inc.”, and First Republic Bank Account Number x2996 in the name of “Ashton B Vines,” for an additional 90 days, to and including October 25, 2019;
7. The terms of this Order shall remain in full force and effect for a period not to exceed 90 days, to and including October 25, 2019; and
8. Should the United States file a civil forfeiture complaint against any of the properties prior to the expiration of this Order, this Restraining Order shall continue in full effect as to those Properties until further order of the Court.

Dated this 25th day of July 2019.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge